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15 CHILDREN'S HEALTH DEFENSE

16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 SAN FRANCISCO DIVISION

19 CHILDREN'S HEALTH DEFENSE,

Case No. 3:20-cv-05787-SI

20 Plaintiff,

21 v.
22 **ROGER TEICH DECLARATION IN
23 SUPPORT OF STIPULATION AND
24 [PROPOSED] ORDER RE: APRIL 22, 2021
25 HEARING DATE AND CASE
MANAGEMENT CONFERENCE**

26 FACEBOOK, INC., et al.,

27 Defendants.

Civil L.R. 6-2

28 I, Roger Teich, declare as follows:

1. I am a member of the State Bar of California and the Bar of the United States District
2 Court for the Northern District of California, and counsel for Plaintiff Children's Health Defense
3 ("CHD") in this action. This declaration is made in support of the Parties' Stipulation and [Proposed]
4 Order re: April 22, 2021 Hearing Date and Case Management Conference. If called as a witness, I could
5 and would testify competently to the facts herein, except as to those matters stated on information and
6 belief.

7. On December 15, 2020, Plaintiff CHD filed its Second Amended Complaint ("SAC") by
8 written consent under Fed. R. Civ. Pro. 15(a)(2) (Dkts. 65-1 and 67). On December 21, 2020, pursuant

1 to the stipulated briefing schedule (Dkts. 63 and 67), Defendants Facebook, Inc., Mark Zuckerberg, and
2 The Poynter Institute for Media Studies, Inc. (“Poynter”) filed their Motions to Dismiss the SAC (Dkts.
3 68 and 69). On February 5, 2021, Plaintiff filed its Oppositions to the Motions to Dismiss (Dkts. 70 and
4 71). On March 3, 2021, the Court moved the hearing on the Motions to Dismiss from March 19, 2021 to
5 March 23, 2021 (Dkt. 72). On March 5, 2021, Defendants filed Replies in Support of their Motions to
6 Dismiss (Dkts. 73 and 74). On March 8, 2021, Plaintiff filed its Motion to Supplement the SAC under
7 Fed. R. Civ. P. 15(d) and exhibits thereto (docketed on ECF as “Motion to Amend/Correct”), and its
8 Motion to Shorten Time under Civil L.R. 6-3 (Dkts. 75 and 76), so that its Motion to Amend/Correct
9 could be heard with Defendants’ pending Motions to Dismiss on March 23, 2021. On March 11, 2021,
10 Defendants Facebook, Inc. and Zuckerberg filed their Opposition to CHD’s Motion to Shorten Time
11 (Dkt. 77).

12 3. On March 12, 2021, after exchanges with the Parties concerning their substantive views,
13 the Clerk of the Court wrote all counsel to ask if the Parties would agree to stipulate to having the
14 Motions to Dismiss (Dkt. 68 and 69) along with the Motion to Amend/Correct (Dkt. 76) heard on April
15 22, 2021, in the interests of judicial economy and to allow for additional oral argument.

16 4. Following an exchange of emails and “meet and confer” telephone conference, the
17 Parties agreed to file the Stipulation and [Proposed] Order to modify the case calendar accordingly.

18 5. Plaintiff agrees that its Motion to Shorten Time (Dkt. 77) is moot.

19 I declare under penalty of perjury under the laws of the United States that the foregoing is true
20 and correct to the best of my knowledge and that this declaration was executed in San Francisco,
21 California, on March 15, 2021.

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25 ROGER I. TEICH
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28 Counsel for Plaintiff
29 Children’s Health Defense